

DECLARATION OF SHERYL ARBOGAST

My name is Sheryl Arbogast. I am an adult resident of Hamilton County Ohio. I state as follows:

1. Jon Hall is my youngest brother. I am the fifth child of seven. I am seven years older than Jon.
2. My parents got married when Mom was fifteen and Dad was nineteen. Mom only had an eighth grade education. Dad went to Carnegie-Melon University, as a football quarterback, but only completed one year.
3. I lived with my maternal grandparents from the time I was two until I was eight years old. My parents were building a house and they were afraid I would fall into the hole blasted for the foundation so I was sent to stay with my grandparents.
4. When I was eight years old Dad decided we all needed to come together to live as a family. Other siblings were staying with our paternal grandparents or with Dad's brother and his wife who owned a dairy farm. I did not want to leave my grandparents, especially in the middle of the school year and Mom agreed to let we stay with my grandparents, however Dad threatened legal action so Mom complied.
5. While I lived with my grandparents I would go for long periods of time without seeing my mom. I do not remember my dad coming to visit. My sisters came and spent the summer with me and my grandparents. However, the boys never did. When I went back to live with my parents, I didn't have their names straight, Jay, Jeff, Joel, Jon. I didn't know which was which.
6. My two youngest brothers, Joel and Jon, were born while I was living with my grandparents.
7. Even though Jon looked exactly like Dad, Dad accused Mom of having an affair and said Jon was not his child. Dad rejected Jon and favored Joel. Dad made it a point to have Jon see that he was favoring Joel and ignoring him.
8. Mom rocked Jon to sleep until he was five years old. She continued to rock him and treat him like a baby. Dad would do special things for Joel and would make Jon feel like he was not apart of the family to get at Mom. She would treat Jon special to get at Dad. It was a sick psychological game that went on from the time I stepped back in the house until Dad died.

9. When I went back to living with my parents, my older brothers were physically beating up on me and each other. They would twist my arm up behind my back and run their knuckles up my arm leaving bruises. When I cried about being beaten up by the boys, Mom called me a prima donna and said I needed to learn to defend myself.
10. In addition, when I moved back in with my parents, my oldest brother sexually molested me forcing me to go to the attic and take off my clothes and touch him. I tried to tell my mother about this but she wouldn't listen. Mom said it didn't happen. Mom's way of dealing with things was through denial. It was like putting fingers in her ears and saying la, la, la. She didn't want me stirring up anything, she wasn't going to help me.
11. I learned fast that to my parents, the truth didn't matter. It fell on deaf ears. We children were left to fend for ourselves. We had no parental support.
12. When we were little we played in the basement of our house. There were support poles throughout the basement. One of my older brothers would pull up Jon's shirt and attach a plunger to his stomach and swing him around. When suction was lost, Jon would fly into a pole. We all would run into these poles and hit out heads when were playing blind man's bluff. When Jon was it, some of my brothers would turn him around and around many times so he would be dizzy and run into the poles. Mom didn't intervene as long as we were out of her hearing. When things got too much out of hand, Jon would go crying and tell Mom and she would yell at us. Then we'd gang up on Jon because he was Mom's golden child and we were jealous of him.
13. Jon was picked on by his brothers. He was an easy target because he was a mama's boy.
14. My mom was preoccupied with problems with Dad. The only attention given to us kids was when we were yelled at.
15. When Dad was angry with us kids he would rip off his belt and whip us.
16. ~~SA~~ My ~~parents~~ ^{dad} would tell the boys "bring your grades up or I'll whoop your ass." However they never helped with homework. I was used to having help from my grandmother and so had good study habits. My brothers all had poor grades in school and everyone said they didn't care about school. But they didn't have help with homework and had no study skills. Neither of our parents went to school conferences. All my parents ever did was yell at my brothers to do better in school and then whip them when their grades were not good.
17. Even though Mom kept a clean house and had dinner on the table at 6:00 p.m every night, she did not give us emotional support. I never felt close and warm with my mother as I did with my grandmother.

18. Dad was an alcoholic, and he drank every day. He stopped at a bar everyday after work. When he did come home for dinner at six o'clock, he would drink beer until he went to bed. Along with beer, Dad would drink a fifth of whisky every weekend.
19. There would be a nightly argument as soon as dinner was over. Dad would mouth off or Mom would. Mom would bring up things from the past. Dad had a affair one time and Mom would reiterate all of this. Sometimes things wouldn't have gotten out of hand except for Mom nagging and refusing to let go. She never forgave him and would brow beat him in his drunken state. A lot of times they would sit on the couch and he'd be ready to go to sleep and she would keep on and on.
20. We children were ignored; we were in the way. Mom was far too busy throwing up to Dad the stories of his indiscretions. We heard this night after night. You could see it coming. Dad would lay on the couch, watching sports and Mom would put herself between the TV and him. Sometimes he'd just play possum and pretend he was asleep. We would warn Mom to back off and quit nagging, but she would just keep on and on until he'd hit her.
21. Dad hit mom regularly. I saw him slap her, punch her, knock off her glasses, throw her on the floor, pound her head against the floor and rip out handfuls of hair. She sustained broken ribs, black eyes and temporary loss of hearing.
22. Every night there was bickering. All of us children would say Mom wasn't happy unless there was chaos. Mom would start something if nothing was going on. Mom knew she would provoke him to violence but she would keep on and on.
23. Mom would not allow us children to eat until Dad got home. Sometimes he did not get home until late. This was Mom's way of getting at Dad, because all of us children would be fussing at him because we were hungry and couldn't eat.
24. Their fights were horrific. Dad would punch Mom in the face. He would hold her shoulders and hit her head against the floor. He'd pull out handfuls of hair. The fights would move from one room to the next. Someone, Mom or Dad, would grab a knife and throw it generally in the direction of the other.
25. One time Dad came home about 8:00 p.m. Dinner was dried out. Mother glared at Dad and he glared at her. Dad grabbed Mom's glasses and threw them against the wall. He hit her in the face, pounded her head into the floor, and pulled out clumps of her hair. During this fight my aunt called and she heard the commotion and called the Sheriff's Department, and a deputy came and arrested Dad. After this fight, Mom couldn't hear for a couple of days.

26. There were other occasions of extreme violence. One time Dad was in the car trying to run over Mom. He chased her all over the yard with his car. Another time she was trying to drive away in her car and he smashed a 20 or 30 pound rock through the windshield of the car. Another time Mom and Dad took a litter of puppies into the woods and shot them all dead.
27. One time Mom hit Dad over the head with a Correl plate of spaghetti. It broke the center out of the plate and spaghetti went all over his head. The outer band of the plate was on his head like a wreath.
28. One time when Dad didn't come home for dinner, Mom packed us up and took us to the Driftwood Bar. When we got there Dad was sitting on a stool next to a woman. This was the woman Mom always accused Dad of having an affair with. Mom brought this up everyday. Mom drug Joel, Jon, and me into the bar and confronted dad in front of everyone. Dad was enraged and got in his car and raced behind us trying to pass us on the curvy hilly road to our house in the country. I remember being terrified we might wreck.
29. One time when Mom and Dad were fighting I got on Dad's back he flipped his arm and sent me flying into the wall. Later he had no recollection of this.
30. Sometimes Mom would want to call someone for help. On several occasions Dad pulled the phone out of the wall to prevent her calling for help. One of us children would have to sneak out of the house and run half a mile to a neighbor's house to call the police. When the police came Mom would say that everything was settled down and she would not press charges.
31. Sometimes after an extreme fight, Dad would leave for a few days. Then he would shower us kids with gifts and then Mom would do something for us. They would try to see who could out do the other. They would use us kids to get at each other. One time after a fight Dad came with an arm full of roses for Mom.
32. The physical fights were worse when I was 8 - 12 years old. The harping and arguing and unpleasantness went on until Dad died.
33. We kids would cry when they fought. I asked Mom why she didn't get a divorce. Mom said that she would loose the house and have no means to support us. I pointed out that we could all stay with relatives like before, just to free her from Dad, but she said she was too proud to ask for help from relatives. Since Mom's parents had been opposed to her getting married so young, she did not want them to know about the problems in her marriage. Mom always played the role of the victim. Mom never accepted responsibility for any part of her and Dad's problems. She was only comfortable with chaos. She was expert at manipulating the situation to return to chaos. We children would have been glad to have been away from all the fighting no matter what we had to do.

34. Money was a problem because Dad spent so much on alcohol. Dad never gave Mom any money. One time Mom tried to sell Avon so she would have a little money. Dad thought she was using this to cheat on him.
35. The soles on our shoes would be flopping and had to be tied with wire. Some of my brothers wore glasses. If the glasses got broken, they had to tape them together and wear them anyway. And yet Dad had money for alcohol.
36. We were never allowed to have friends overnight because they would be privy to the fights. I was embarrassed by my family's behavior. I always felt that I was from the wrong side of the tracks. However, Jon was never allowed to be away from Mom when he was a child. All he ever knew of family life was the fighting and chaos.
37. I told my second grade teacher that my daddy beat up my mommy last night. It went into my files at school but no one ever did anything about it.
38. I went to the dentist for the first time when I was fourteen years old, because my toothaches were so bad I couldn't eat. I had to have four teeth pulled. Even after that, we did not receive regular dental care.
39. There was often the threat of utilities being cut off but I don't remember that they actually were cut off. Also they would get behind on the mortgage.
40. Dad died when he was 44 years old. It was a horrible experience for Jon when Dad died. Joel and Jon were in the room when their dad died. Jon was only 9 years old.
41. I was babysitting the night Dad died. When I arrived home, Joel and Jon were crying "Daddy is dead!" There had always been such violence between Mom and Dad that my first thought was that Mom had killed him.
42. Mom remarried 3 months after Dad died. She said it was because she was going to lose the house.
43. Dad's father (Chuck) was an alcoholic and he beat my grandmother (Ma-ma). On occasion, Ma-ma had to wear sunglasses to work to hide her black eyes. She got accused of infidelity and one time Chuck cut up all of Ma-ma's clothes.
44. Frequently, someone from the family had to go to the bar and collect Chuck when he'd get so drunk he'd pass out or fall off his bar stool and be unable to get up.
45. Chuck and Ma-ma got a divorce when they were in their seventies after Chuck held Ma-ma at gunpoint over a supposed affair.

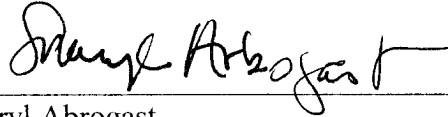
46. By the time my grandfather died he was half crazy with alcoholism. He was paranoid. He'd lay around naked with the door open.
47. My paternal great grandfather became insane and tried to jump out of a window because he thought he could fly. He said he heard moon doggies howling on the radio and would smash radios.
48. Jon's thinking hasn't been in touch with reality for sometime. Anytime I have talked to him, he is angry and delusional.
49. Jon was the one who gave Jessie, his cerebral palsy child, her treatments. Billie was not a nurturing mother. Billie acted just like my mother. Billie did not want to be bothered by the kids, Jon did it all.
50. Billie was abusive to Jon. She bit him and kicked him in the balls. Billie even pulled a gun on him. When the police gave him the restraining order he showed them his bruises. She was violent and she provoked him.
51. After Billie filed for a divorce Jon cried several times a day. He felt he was about to be fired because he was crying. Jon was in a horrible deep depression.
52. At this point, Jon was talking to his brother Jeff daily. Jeff knew about Jon's escalating problems with Billie and how Jon was practically crippled by his severe depression over Billie's infidelity. Jon told Jeff how Billie was trying to coax him into killing himself, and how at one point Billie had even pulled a gun on him while the girls were present. Jeff told Jon he could come and stay with him as long as he needed.
53. Jon ended up driving to Jeff's house in Texas. Jeff knew of Billie's death even though Jon did not realize that Billie was dead.
54. Jeff had been in such frequent contact with Jon when Jon's life was disintegrating, and he was a brother that had grown up in the same troubled household as Jon so I felt Jeff should be contacted by Jon's attorneys. Jeff was dying and I told Jon's attorneys about this and about the information Jeff would have regarding Jon and they failed to contact Jeff. Therefore, Jon's attorneys knowingly allowed the best witness on Jon's behalf to die without being interviewed.
55. When I visited Jeff shortly before he died he told me about his conversations with Jon. Jeff died before Jon's trial and I was not allowed to testify about the things Jeff had told me because it was hearsay.

56. Several times when I was on my way to Texas to see Jeff, I stopped to visit Jon and Billie and their family. Jon was cooking for everyone and taking care of his girls in a very appropriate and loving way. All four girls clearly loved Jon.
57. Jon was adept in the respiratory and physical therapy care that Jessica needed due to her prematurity and cerebral palsy.
58. Billie did not display the same kindness or warmth to the girls that Jon did. Billie took every opportunity to criticize Jon in front of me and my family. Billie's comments were hateful and emasculating. Billie seemed to have no love toward Jon. Jon did not argue with her or become defensive in response to the hateful comments. Later, when I spoke to Jon about my opinion of Billie's behavior he told me that he loved Billie and did not want to hear anything negative about her.
59. Now Mom says, "What did I do wrong, why do I have a child on death row?" I think it is because she didn't give us the skills to deal with life.
60. One time in an argument with Mom Jon disconnected the phone. Jon's habit when he wanted your undivided attention was to unplug the phone.
61. Mom is a master manipulator and controller, but she puts a spin on it that she is the victim. She wants to bury her head in the sand.
62. Mom's habit has been to tell herself things that were not true and after a time they became fact to her.
63. Mom's second husband, Ed Alexander, propositioned me two weeks after they got married. He offered me first \$50 then \$100 to have sex with him.
64. Ed hit Mom and she was going to divorce him. However he had a stroke and died before the divorce.
65. Mom totally ignored us kids. When Mom was married to Ed, Jon and the others were doing pot and drinking and she never noticed. Mom and Ed moved to another location and left me at age 16, with Joel and Jon living at the family house alone.
66. All of my brothers used drugs. One tried to commit suicide four times. One sister had a nervous breakdown. Another has been on medication for depression. Many of us have had multiple marriages. One has been married four times.
67. I phoned Jon's attorneys many times prior to Jon's trial. I wanted to tell them about the things I have stated above, but they would not listen. It was clear that Mr. Mayo was unaware of the marital issues between Jon and Billie until my mom, sisters and myself met

with him just prior to our testifying and then we were told to not say anything negative about Billie.

68. If Jon's attorneys had interviewed me, I would have told them about the above matters and would have been able and willing to testify about those matters at Jon's trial.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Sheryl Abrogast

8/20/09

Date